

| Notice of Allowability | Application No. | Applicant(s) | |
|-------------------------------|------------------------|---------------------|--|
| | 08/120,303 | JACOBS ET AL. | |
| | Examiner | Art Unit | |
| | Jill A. Warden | 1743 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the decision by the BPAI mailed 30 May 2006.
2. The allowed claim(s) is/are 11-19, 21 and 22.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Jill A. Warden
SPE
Art Unit: 1743

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification, on the first page, the insert before the Field of the Invention has been amended as follows:

--This is a continuation of application Serial No. 07/864,151, filed 04/02/92, now abandoned, which is a continuation of application Serial No. 07/464,843, filed 01/16/90, now abandoned, which is a divisional of application Serial No. 07/079,550, filed 07/30/87, now U.S. Patent 4,943,414.—

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The specification to which the oath or declaration is directed has not been adequately identified. See MPEP § 602.

The condition of the claims is somewhat confusing as they are not in the format currently employed by the U.S. PTO. A complete listing of the claims pending in this application is attached.

Any inquiry concerning this communication should be directed to Jill A. Warden at telephone number (571) 272-1267.


Jill A. Warden
SPE
Art Unit 1743

Complete Listing of Claims

1-10 (cancelled)

11. A device for delivering antimicrobial vapor to the lumen of an article during solution vapor sterilization, said device comprising a vessel for containing an antimicrobial solution and having an opening therein, and means for connecting said opening of said vessel to said lumen said vessel being closed to the ambient atmosphere except through such opening said vessel containing a known quantity of antimicrobial solution for vapor formation.
12. A device for delivering antimicrobial vapor to the lumen of an article during solution vapor sterilization, said device comprising a vessel for containing an antimicrobial solution and having an opening therein, and means for connecting said opening of said vessel to said lumen said vessel being closed to the ambient atmosphere except through such opening said vessel containing a known quantity of antimicrobial solution for vapor formation wherein said means for connecting said vessel to said lumen comprises an expandable tubular sheath, one end of which is securely attached about the opening of the vessel, and the other end of which comprises an elastic ring for releasable attachment about the other end of the article.
13. The device of claim 12 wherein the sheath is securely attached to the vessel by means of a second elastic ring at said one end of the sheath disposed over a lip about the opening of the vessel.
14. A device for delivering antimicrobial vapor to the lumen of an article during solution vapor sterilization, said device comprising a vessel for containing an antimicrobial solution and having an opening therein, and means for connecting said opening of said vessel to said lumen said vessel being closed to the ambient atmosphere except through such opening said vessel containing a known quantity of antimicrobial solution for vapor formation wherein said means for connecting said vessel to said lumen comprises a flexible bushing disposed within the opening of the vessel for receiving one end of said article.
15. The device of claim 14, wherein the bushing comprises a plurality of inwardly extending plastic flaps.
16. A device for delivering antimicrobial vapor to the lumen of an article during solution vapor sterilization, said device comprising a vessel for containing an antimicrobial solution and having an opening therein, and means for connecting said opening of said vessel to said lumen said vessel being closed to the ambient atmosphere except through such opening said vessel containing a known quantity of antimicrobial solution for vapor formation wherein said vessel comprises a flexible pouch and said means for connecting said vessel to the end

of the lumen comprises at least one drawstring disposed about the opening of said pouch.

17. A device for delivering antimicrobial vapor to the lumen of an article during solution vapor sterilization, said device comprising a vessel including a cartridge for containing a known quantity of antimicrobial solution and having an opening therein, said vessel including means for connecting said opening of said cartridge to said lumen said cartridge being closed to the ambient atmosphere except through such opening said cartridge containing a known quantity of antimicrobial solution

for vapor formation wherein said means for connecting includes an opening for releasably attaching said cartridge containing a known quantity of antimicrobial solution to form said vessel.

18. The device of claim 11 wherein said vessel contains a porous absorbent substrate for containing said antimicrobial solution.

19. The device of claim 11 wherein said vessel has means for attaching a removable closure cap to the opening thereof.

20. (cancelled)

21. A device for enhancing solution vapor sterilization of the lumen of a medical instrument, said device comprising a vessel for containing an antimicrobial solution, and means for connecting said vessel to the end of said lumen to provide antimicrobial vapor directly to the lumen during the solution vapor sterilization said device being sealed from the ambient atmosphere except through said means for connecting and containing a known quantity of antimicrobial solution wherein said means for connecting said vessel to the end of the lumen comprises an expandable sheath, one end of which is securely attached about an opening in the vessel, and the other end of which comprises an elastic ring for releasable attachment about the end of the instrument including the lumen.

22. The device of claim 21 wherein the sheath is firmly attached to the vessel by means of a second elastic ring at said one end of the sheath disposed over a lip about the opening of the vessel.